

**From:** Brian Strand  
**To:** Microsoft ATR  
**Date:** 1/23/02 1:48pm  
**Subject:** Microsoft Settlement

The proposed final judgement (PFJ) in the Microsoft antitrust case is a very, very bad idea. Any reasonable settlement must a) end Microsoft's unlawful conduct (Microsoft's completely predictable denials of said conduct notwithstanding), and b) deny Microsoft any reward stemming from their unlawful conduct. The PFJ achieves neither of these objectives.

The restrictions placed on Microsoft by the PFJ are far too narrow and brittle to effect any changes in Microsoft's behavior.

The DOJ needs to scrap the fatally flawed PFJ and start over. The crime has been established, now is the time to determine the punishment.

Since when did the convicted criminal get to negotiate the punishment?

There is no need for Microsoft to enjoy or agree with their sentence; they merely have to abide by it, subject to the usual law enforcement mechanisms.

Sincerely,

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